

MONDAY, APRIL 26, 1999

TWENTY-SECOND LEGISLATIVE DAY

Pursuant to Senate Joint Resolution No. 66 of the First Extraordinary Session, the House of Representatives of the One Hundred First General Assembly met in Regular Session at 4:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Dr. Doug Sager, First Baptist Concord, Knoxville, Tennessee.

Representative Bittle led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present.....97

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative McAfee; illness.

Representative Hood; personal reasons.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Joint Resolution No. 64:** Rep(s). Brooks, White, Fitzhugh, Davidson and McDonald as prime sponsor(s).

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**House Joint Resolution No. 86:** Rep(s). Towns as prime sponsor(s).

**House Joint Resolution No. 180:** Rep(s). White as prime sponsor(s).

**House Bill No. 136:** Rep(s). Buck as first prime sponsor(s).

**House Bill No. 136:** Rep(s). Curtiss as prime sponsor(s).

**House Bill No. 192:** Rep(s). Caldwell as prime sponsor(s).

**House Bill No. 272:** Rep(s). Pinion as prime sponsor(s).

**House Bill No. 314:** Rep(s). Sands as prime sponsor(s).

**House Bill No. 539:** Rep(s). Brooks as prime sponsor(s).

**House Bill No. 575:** Rep(s). Sands as prime sponsor(s).

**House Bill No. 582:** Rep(s). Patton and Ford as prime sponsor(s).

**House Bill No. 585:** Rep(s). Beavers as prime sponsor(s).

**House Bill No. 599:** Rep(s). Stulce and Sharp as prime sponsor(s).

**House Bill No. 614:** Rep(s). Godsey as prime sponsor(s).

**House Bill No. 638:** Rep(s). Bunch as prime sponsor(s).

**House Bill No. 677:** Rep(s). White, Walley, Naifeh, Newton, Goins, Todd, Walker, Bowers, Head, Dunn, Davis (Washington), Montgomery, McDaniel, Sargent, Boyer, Buttry, and Scroggs as prime sponsor(s).

**House Bill No. 769:** Rep(s). Sands as prime sponsor(s).

**House Bill No. 772:** Rep(s). Bunch as prime sponsor(s).

**House Bill No. 778:** Rep(s). Sharp as prime sponsor(s).

**House Bill No. 806:** Rep(s). Harwell as prime sponsor(s).

**House Bill No. 808:** Rep(s). Miller as prime sponsor(s).

**House Bill No. 842:** Rep(s). Caldwell as prime sponsor(s).

**House Bill No. 905:** Rep(s). U. Jones, Cooper, Brooks, Towns, Bowers, Armstrong, J. DeBerry, Langster, L. DeBerry, Miller and Turner (Shelby) as prime sponsor(s).

**House Bill No. 909:** Rep(s). Langster as prime sponsor(s).



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**House Bill No. 915:** Rep(s). Patton, Ford, Cooper, McKee, Armstrong, Brown, Chumney, Pleasant, L. DeBerry, Todd, Ridgeway, Bunch, Ferguson, Sargent, Winningham, Garrett, Black, McMillan, Scroggs, Arriola, Odom and Harwell as prime sponsor(s).

**House Bill No. 956:** Rep(s). Cooper as prime sponsor(s).

**House Bill No. 989:** Rep(s). Briley as prime sponsor(s).

**House Bill No. 1005:** Rep(s). Robinson as prime sponsor(s).

**House Bill No. 1027:** Rep(s). Caldwell, Ferguson, Hargett, Fitzhugh, Maddox and S. Jones as prime sponsor(s).

**House Bill No. 1052:** Rep(s). Fitzhugh as prime sponsor(s).

**House Bill No. 1067:** Rep(s). Brooks as prime sponsor(s).

**House Bill No. 1103:** Rep(s). Cole (Carter), Mumpower, Wood, Scroggs, Walker, Davis (Washington), McKee, Ford, Roach, Buttry, Montgomery, Boyer, Walley, Harwell, Hagood, Armstrong, McCord, Pleasant, Sharp, Sargent, Todd, Black, Hassell, Beavers, Davis (Cocke), Whitson and Hargett as prime sponsor(s).

**House Bill No. 1135:** Rep(s). Ridgeway as prime sponsor(s).

**House Bill No. 1193:** Rep(s). Walley as prime sponsor(s).

**House Bill No. 1209:** Rep(s). Goins as prime sponsor(s).

**House Bill No. 1213:** Rep(s). McKee as prime sponsor(s).

**House Bill No. 1240:** Rep(s). Windle, Buck, Rhinehart, Ferguson, Boyer, Goins, Curtiss and Baird as prime sponsor(s).

**House Bill No. 1250:** Rep(s). Cooper and Fraley as prime sponsor(s).

**House Bill No. 1256:** Rep(s). Walley as prime sponsor(s).

**House Bill No. 1269:** Rep(s). McMillan as prime sponsor(s).

**House Bill No. 1297:** Rep(s). Cooper, Turner (Hamilton), Patton and Jackson as prime sponsor(s).

**House Bill No. 1310:** Rep(s). Bone as prime sponsor(s).

**House Bill No. 1311:** Rep(s). Bone as prime sponsor(s).

**House Bill No. 1312:** Rep(s). Bone as prime sponsor(s).

**House Bill No. 1381:** Rep(s). Rhinehart and Lewis as prime sponsor(s).

**House Bill No. 1382:** Rep(s). Walker as prime sponsor(s).

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**House Bill No. 1397:** Rep(s). Phillips as prime sponsor(s).

**House Bill No. 1404:** Rep(s). Westmoreland and McDonald as prime sponsor(s).

**House Bill No. 1513:** Rep(s). Walley as prime sponsor(s).

**House Bill No. 1529:** Rep(s). Ferguson and McDonald as prime sponsor(s).

**House Bill No. 1587:** Rep(s). Caldwell, Davidson, Fraley, Bone, Ford, Ferguson, Bowers, Givens, Walker, Baird, Goins, Todd and Roach as prime sponsor(s).

**House Bill No. 1596:** Rep(s). Caldwell as prime sponsor(s).

**House Bill No. 1604:** Rep(s). Sands as prime sponsor(s).

**House Bill No. 1618:** Rep(s). Hargett as prime sponsor(s).

**House Bill No. 1708:** Rep(s). Buttry as prime sponsor(s).

**House Bill No. 1734:** Rep(s). Armstrong and L. DeBerry as prime sponsor(s).

**House Bill No. 1747:** Rep(s). U. Jones, Ridgeway, Maddox, Tidwell, Pinion, Eckles, Davidson, Hargrove, S. Jones, Fraley, Williams, Fowlkes, Ferguson and Arriola as prime sponsor(s).

**House Bill No. 1790:** Rep(s). Scroggs as prime sponsor(s).

**House Bill No. 1828:** Rep(s). Langster as prime sponsor(s).

**House Bill No. 1874:** Rep(s). Davis (Cocke) as prime sponsor(s).

**House Bill No. 1879:** Rep(s). Beavers as prime sponsor(s).

**House Bill No. 1894:** Rep(s). Patton, Ford and Todd as prime sponsor(s).

**SPONSORS REMOVED**

On motion, Rep(s). Walker was/were removed as sponsor(s) of **House Bill No. 825**.

On motion, Rep(s). Hargett was/were removed as sponsor(s) of **House Bill No. 1027**.

**MESSAGE FROM THE SENATE**

**March 26, 1999**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s)196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208 and 209; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**SIGNED  
March 26, 1999**

The Speaker signed the following: Senate Joint Resolution(s) No(s). 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208 and 209.

**MESSAGE FROM THE SENATE  
March 26, 1999**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 19, 145, 146, 149, 150, 151, 152, 153, 154, 155, 157, 158, 159, 160, 161, 162, 165, 167 and 170; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**SIGNED  
March 26, 1999**

The Speaker signed the following: Senate Bill(s) No(s). 28, 51, 165, 187, 205, 217, 265, 280, 309, 326, 379, 388, 421, 423, 507, 614, 742, 886, 923, 970, 1113, 1450, 1590, 1594, 1596, 1767; also, Senate Joint Resolution(s) No(s). 28.

**MESSAGE FROM THE GOVERNOR  
March 26, 1999**

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 20, 21, 270 and 1273, with his approval.

COURTNEY PEARRE, Counsel to the Governor.

**REPORT OF CHIEF ENGROSSING CLERK  
March 29, 1999**

The following bill(s) have been transmitted to the Governor for his action: House Joint Resolution(s) No(s). 19, 145, 146, 149, 150, 151, 152, 153, 154, 155, 157, 158, 159, 160, 161, 162, 165, 167 and 170.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE  
March 30, 1999**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 160, 173, 175, 347, 371, 693, 765, 777, 788, 941, 1025, 1166, 1260, 1383, 1613, 1615 and 1620; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

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**MESSAGE FROM THE SENATE**

**March 30, 1999**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 240, 547, 836, 1931, 1933, 1934, 1935 and 1940; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE GOVERNOR**

**March 30, 1999**

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill No. 311, without his signature.

COURTNEY PEARRE, Counsel to the Governor.

**REPORT OF CHIEF ENGROSSING CLERK**

**March 30, 1999**

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s). 240, 547, 836, 1931, 1933, 1934, 1935 and 1940.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE GOVERNOR**

**March 30, 1999**

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 19, 145, 146, 149, 150, 151, 152, 153, 154, 155, 157, 158, 159, 160, 161, 162, 165, 167 and 170, with his approval.

COURTNEY PEARRE, Counsel to the Governor.

**SIGNED**

**March 31, 1999**

The Speaker signed the following: Senate Bill(s) No(s). 160, 173, 175, 347, 371, 693, 765, 777, 788, 941, 1025, 1166, 1260, 1383, 1613 and 1615.

**MESSAGE FROM THE GOVERNOR**

**March 31, 1999**

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 411, 458, 690, 1114 and 1454, with his approval.

COURTNEY PEARRE, Counsel to the Governor.

**SIGNED**

**March 31, 1999**

The Speaker signed the following: Senate Bill(s) No(s). 1620.

**MONDAY, APRIL 26, 1999 -- TWENTY-SECOND LEGISLATIVE DAY**

**MESSAGE FROM THE GOVERNOR**

**April 1, 1999**

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 329, 1934 and 1940, with his approval.

COURTNEY PEARRE, Counsel to the Governor.

**MESSAGE FROM THE GOVERNOR**

**April 7, 1999**

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 240, 547, 836, 1931, 1933 and 1935, with his approval.

COURTNEY PEARRE, Counsel to the Governor.

**MESSAGE FROM THE SENATE**

**April 26, 1999**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 227; adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**Senate Joint Resolution No. 227** -- Memorials, Sports - 1998-1999 Gordonville High School girls' basketball team. by \*Rochelle.

**RESOLUTIONS REFERRED**

**April 13, 1999**

Pursuant to **Rule No. 44**, the following resolution(s) was/were referred to the following Committee(s):

**\*House Joint Resolution No. 179** -- Highway Signs - "Mansfield Douglas, III, Highway," U.S. 3, Davidson County. by \*Pruitt, \*Arriola, \*Garrett, \*Briley, \*West, \*Langster, \*Odom, \*Robinson, \*Jones, S., \*Harwell.

House Transportation Committee

**RESOLUTIONS REFERRED**  
**April 14, 1999**

Pursuant to **Rule No. 44**, the following resolution(s) was/were referred to the following Committee(s):

**\*House Joint Resolution No. 174** -- Memorials, Congress - Urges Congress and Census Bureau to prohibit use of statistical sampling for 2000 decennial census. by \*Boyer, \*Gunnels, \*McDaniel, \*Hagood, \*Bittle, \*Scroggs, \*Sargent, \*Dunn, \*Montgomery, \*Black, \*Buttry, \*Davis (Washington), \*Mumpower, \*Godsey, \*Westmoreland, \*McCord.

House State and Local Government Committee

**\*House Joint Resolution No. 175** -- Naming and Designating - C.R. "Doodle" White Overlook Park, S.R. 67, Carter County. by \*Cole (Carter).

House Transportation Committee

**\*House Joint Resolution No. 176** -- Memorials, Government Officials - Urges Tennessee human rights commission to fulfill its statutory responsibility with regard to Title VI investigations, implementation and technical assistance. by \*Brown, \*Bowers, \*Towns, \*Pruitt, \*DeBerry L, \*Brooks.

House State and Local Government Committee

**\*House Joint Resolution No. 177** -- Memorials, Government Officials - Calls upon various entities of state and local government to work cooperatively to ensure that all Tennesseans, including minorities, achieve same high level of health. by \*Pruitt, \*Towns, \*Bowers, \*Brooks, \*Brown, \*DeBerry J, \*DeBerry L, \*Miller L, \*Langster, \*Cooper B, \*Jones U (Shelby).

House Health and Human Resources Committee

**\*House Joint Resolution No. 178** -- General Assembly, Studies - Urges house and senate state and local government committees to reexamine state comprehensive growth policy and the time constraints for implementation of such policy. by \*Rhinehart.

House State and Local Government Committee

**\*House Joint Resolution No. 180** -- Highway Signs - "Buford Garner Bridge," bridge spanning Elk River on U.S. 31 in Elkton. by \*Fowlkes, \*White.

House Transportation Committee

**\*House Joint Resolution No. 181** -- Naming and Designating - "Major General Holman J. Walker National Guard Armory," South Pittsburg. by \*Rhinehart.

House State and Local Government Committee

**MONDAY, APRIL 26, 1999 -- TWENTY-SECOND LEGISLATIVE DAY**

**Senate Joint Resolution No. 69** -- Naming and Designating - "Big Orange Day" in Tennessee, January 4, 2000. by \*Haynes, \*Rochelle, \*Burks, \*Crutchfield, \*Springer.

House Calendar and Rules Committee

**Senate Joint Resolution No. 90** -- General Assembly, Confirmation of Appointment - Tom Hensley, wildlife resources commission. by \*Carter, \*Atchley, \*Blackburn, \*Burchett, \*Burks, \*Carter, \*Clabough, \*Cohen, \*Cooper, \*Crutchfield, \*Davis L., \*Dixon, \*Ford J., \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Kurita, \*Kyle, \*McNally, \*Miller J., \*Person, \*Ramsey, \*Rochelle, \*Springer, \*Wilder, \*Williams, \*Womack.

House Conservation and Environment Committee

**\*Senate Joint Resolution No. 91** -- Highway Signs - "Sam Grissom Memorial Bridge," bridge spanning Caney Fork River on S.R. 136 between Warren and White counties. by \*Cooper.

House Transportation Committee

**Senate Joint Resolution No. 211** -- Naming and Designating - "Tennessee State Employee Week," May 9-16, 1999. by \*Crutchfield, \*Atchley, \*Blackburn, \*Burchett, \*Burks, \*Carter, \*Clabough, \*Cohen, \*Cooper, \*Crowe, \*Crutchfield, \*Davis L., \*Dixon, \*Elsea, \*Ford J., \*Fowler, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Kurita, \*Kyle, \*Leatherwood, \*McNally, \*Miller J., \*Person, \*Ramsey, \*Rochelle, \*Springer, \*Wilder, \*Williams, \*Womack.

House State and Local Government Committee

**RESOLUTIONS REFERRED**  
**April 21, 1999**

Pursuant to **Rule No. 44**, the following resolution(s) was/were referred to the following Committee(s):

**\*House Joint Resolution No. 182** -- Memorials, Government Officials - Urges establishment of interdepartmental job training and job placement program for state inmates. by \*DeBerry J., \*Bowers, \*Brooks.

House State and Local Government Committee

**\*House Joint Resolution No. 183** -- General Assembly, Studies - Creates special joint committee to study economic and social effects of affirmative action initiatives. by \*DeBerry J., \*Dunn.

House State and Local Government Committee

**House Joint Resolution No. 184** -- Naming and Designating - "Osteoporosis Week," May 9-15, 1999. by \*Bowers, \*Eckles, \*Hagood, \*Beavers, \*Black, \*Jones, S., \*Langster, \*McMillan, \*Brown, \*Pruitt, \*Brooks, \*Chumney.

House Health and Human Resources Committee

**MONDAY, APRIL 26, 1999 -- TWENTY-SECOND LEGISLATIVE DAY**

**House Joint Resolution No. 185** -- Naming and Designating - "Stroke Awareness Month," May 1999. by \*Hargrove.

House Calendar and Rules Committee

**House Joint Resolution No. 186** -- Naming and Designating - Tennessee Osteoporosis Prevention Month, May 1999. by \*Pruitt, \*Jones, S., \*West, \*Arriola, \*Briley, \*Robinson, \*Eckles, \*Brown, \*Langster, \*Brooks, \*Turner (Hamilton), \*Cooper B.

House Health and Human Resources Committee

**\*House Joint Resolution No. 187** -- General Assembly, Studies - Creates special joint committee to study water and sewer utility practices related to apartment submetering. by \*West.

House Consumer and Employee Affairs Committee

**CONSENT CALENDAR**  
**April 22, 1999**

The following local bills have been placed on the Consent Calendar for **April 26, 1999**: House Bill(s) No(s). 40, 482, 1255 and 1941.

**INTRODUCTION OF RESOLUTIONS**

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced:

**\*House Joint Resolution No. 174** -- Memorials, Congress - Urges Congress and Census Bureau to prohibit use of statistical sampling for 2000 decennial census. by \*Boyer, \*Gunnels, \*McDaniel, \*Hagood, \*Bittle, \*Scroggs, \*Sargent, \*Dunn, \*Montgomery, \*Black, \*Buttry, \*Davis (Washington), \*Mumpower, \*Godsey, \*Westmoreland, \*McCord.

Previously referred to the House State and Local Government Committee

**\*House Joint Resolution No. 175** -- Naming and Designating - C.R. "Doodle" White Overlook Park, S.R. 67, Carter County. by \*Cole (Carter).

Previously referred to the House Transportation Committee

**\*House Joint Resolution No. 176** -- Memorials, Government Officials - Urges Tennessee human rights commission to fulfill its statutory responsibility with regard to Title VI investigations, implementation and technical assistance. by \*Brown, \*Bowers, \*Towns, \*Pruitt, \*DeBerry L, \*Brooks.

Previously referred to the House State and Local Government Committee



**MONDAY, APRIL 26, 1999 -- TWENTY-SECOND LEGISLATIVE DAY**

**\*House Joint Resolution No. 177** -- Memorials, Government Officials - Calls upon various entities of state and local government to work cooperatively to ensure that all Tennesseans, including minorities, achieve same high level of health. by \*Pruitt, \*Towns, \*Bowers, \*Brooks, \*Brown, \*DeBerry J, \*DeBerry L, \*Miller L, \*Langster, \*Cooper B, \*Jones U (Shelby).

Previously referred to the House Health and Human Resources Committee

**\*House Joint Resolution No. 178** -- General Assembly, Studies - Urges house and senate state and local government committees to reexamine state comprehensive growth policy and the time constraints for implementation of such policy. by \*Rhinehart.

Previously referred to the House State and Local Government Committee

**\*House Joint Resolution No. 179** -- Highway Signs - "Mansfield Douglas, III, Highway," U.S. 3, Davidson County. by \*Pruitt, \*Arriola, \*Garrett, \*Briley, \*West, \*Langster, \*Odom, \*Robinson, \*Jones, S., \*Harwell.

Previously referred to the House Transportation Committee

**\*House Joint Resolution No. 180** -- Highway Signs - "Buford Garner Bridge," bridge spanning Elk River on U.S. 31 in Elkton. by \*Fowlkes, \*White.

Previously referred to the House Transportation Committee

**\*House Joint Resolution No. 181** -- Naming and Designating - "Major General Holman J. Walker National Guard Armory," South Pittsburg. by \*Rhinehart.

Previously referred to the House State and Local Government Committee

**\*House Joint Resolution No. 182** -- Memorials, Government Officials - Urges establishment of interdepartmental job training and job placement program for state inmates. by \*DeBerry J, \*Bowers, \*Brooks.

Previously referred to the House State and Local Government Committee

**\*House Joint Resolution No. 183** -- General Assembly, Studies - Creates special joint committee to study economic and social effects of affirmative action initiatives. by \*DeBerry J, \*Dunn.

Previously referred to the House State and Local Government Committee

**House Joint Resolution No. 184** -- Naming and Designating - "Osteoporosis Week," May 9-15, 1999. by \*Bowers, \*Eckles, \*Hagood, \*Beavers, \*Black, \*Jones, S., \*Langster, \*McMillan, \*Brown, \*Pruitt, \*Brooks, \*Chumney.

Previously referred to the House Health and Human Resources Committee

**MONDAY, APRIL 26, 1999 -- TWENTY-SECOND LEGISLATIVE DAY**

**House Joint Resolution No. 185** -- Naming and Designating - "Stroke Awareness Month," May 1999. by \*Hargrove.

Previously referred to the House Calendar and Rules Committee

**House Joint Resolution No. 186** -- Naming and Designating - Tennessee Osteoporosis Prevention Month, May 1999. by \*Pruitt, \*Jones, S., \*West, \*Arriola, \*Briley, \*Robinson, \*Eckles, \*Brown, \*Langster, \*Brooks, \*Turner (Hamilton), \*Cooper B.

Previously referred to the House Health and Human Resources Committee

**\*House Joint Resolution No. 187** -- General Assembly, Studies - Creates special joint committee to study water and sewer utility practices related to apartment submetering. by \*West.

Previously referred to the House Consumer and Employee Affairs Committee

**RESOLUTIONS**

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for April 28, 1999:

**House Resolution No. 39** -- Memorials, Public Service - Manassas High School, 100th anniversary. by \*Cooper B, \*Brooks, \*Jones U (Shelby), \*Kernell, \*DeBerry L, \*Miller L, \*Bowers, \*Chumney, \*DeBerry J, \*Towns, \*Turner (Shelby), \*Pleasant, \*Hassell, \*Hargett, \*Scroggs.

**House Resolution No. 40** -- Memorials, Recognition - Unicoi County Air Force Junior ROTC. by \*Davis (Washington), \*Whitson.

**House Joint Resolution No. 171** -- Memorials, Recognition and Thanks - Sullivan North High School Naval Junior Reserve Officers Training Corp cadets. by \*Godsey.

**House Joint Resolution No. 172** -- Memorials, Death - James "Jimmy" Edward Hawkins. by \*Langster, \*Garrett, \*West, \*Jones, S., \*Briley, \*Arriola, \*Hargrove, \*DeBerry L, \*Naifeh, \*Robinson, \*Pruitt, \*Odom.

**House Joint Resolution No. 173** -- Memorials, Professional Achievement - Almore Alphonse Thompson, 1998-1999 Tennessee State University College of Education Teacher of Year. by \*Armstrong, \*Pruitt, \*Brown, \*DeBerry L, \*Turner (Shelby), \*Jones U (Shelby), \*Langster, \*Bowers, \*DeBerry J, \*Miller L, \*Brooks, \*Cooper B, \*Towns.

**House Joint Resolution No. 188** -- Memorials, Recognition - Earth Day 1999. by \*Bowers.

**House Joint Resolution No. 189** -- Memorials, Public Service - Lauderdale County Cancer Society "Relay for Life.". by \*Fitzhugh.

**House Joint Resolution No. 190** -- Memorials, Personal Achievement - Amanda Miller, 1999 Girl Scout Gold Award recipient. by \*Pleasant, \*Hargett.

## **MONDAY, APRIL 26, 1999 -- TWENTY-SECOND LEGISLATIVE DAY**

**House Joint Resolution No. 194** -- Memorials, Personal Occasion - Erica Elizabeth Wagner, birth. by \*Mumpower, \*Godsey, \*Westmoreland.

**House Joint Resolution No. 195** -- Memorials, Professional Achievement - J. Richard Carroll, 1999 Southern Region Athletic Director of the Year. by \*Westmoreland, \*Mumpower, \*Godsey.

**House Joint Resolution No. 196** -- Memorials, Professional Achievement - Raymond William Purdey, Clerk, Australian Legislative Assembly. by \*Hargrove.

### **INTRODUCTION OF BILLS**

On motion, the following bills were introduced and passed first consideration:

**House Bill No. 1957** -- Cowan - Subject to local approval, increases salary of mayor to \$300 per month and salary of council members to \$100 per month. Amends Chapter 100 of the Private Acts of 1967; as amended. by \*Fraleay. (SB1952 by \*Cooper)

**House Bill No. 1958** -- Meigs County - Subject to local approval, prohibits connection of utility service to building or improvement unless proof furnished to provider of utility service that building compliance permit has been obtained as required by zoning regulations. by \*Newton. (SB1948 by \*Elsea)

**House Bill No. 1959** -- Richard City - Makes various revisions to special school district's powers and duties; revises sale of district's coupon bonds. Amends Chapter 93 of the Private Acts of 1920; as amended. by \*Rhinehart. (SB1942 by \*Elsea)

**House Bill No. 1960** -- Pickett County - Subject to local approval, transfers duties of juvenile court clerk to circuit court clerk. Amends Chapter 237 of the Private Acts of 1982. by \*Winningham.

**House Bill No. 1962** -- Hardin County - Subject to local approval, designates board of directors of Savannah industrial development corporation as governing board for port authority. Amends Chapter 4 of the Private Acts of 1957. by \*Rinks. (SB1954 by \*Wilder)

**House Bill No. 1963** -- White County - Subject to local approval, enacts "White County Mobile Home Park Regulations.". by \*Curtiss.

### **DELAYED BILLS REFERRED**

**April 6, 1999**

Pursuant to **Rule No. 77**, having been prefiled for introduction, House Bill(s) No(s). 1961, was/were referred to the Delayed Bills Committee.

**House Bill No. 1961** -- Alcoholic Beverages - Expands sales base for collection of sales tax in Bedford County by authorizing Cortner Mills and Our House restaurants to sell wine in addition to their present authority to sell beer. Amends TCA Title 57, Chapter 4. by \*Phillips.

**DELAYED BILLS REFERRED**

**April 26, 1999**

Pursuant to **Rule No. 77**, having been prefiled for introduction, House Bill(s) No(s). 1965, was/were referred to the Delayed Bills Committee.

**\*House Bill No. 1965** -- Taxes - Applies franchise and excise taxes to limited liability companies, partnerships and proprietorships and removes exemptions from sales taxes; enacts Excise Tax Law of 1999." Amends TCA Title 45; Title 48; Title 56 and Title 67. by \*Stulce.

**SENATE BILLS TRANSMITTED**

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

**Senate Bill No. 43** -- Rutherford County - Subject to local approval, expands county purchasing committee from three to five members to be composed of county executive and four county commissioners; county executive to serve as ex officio chair. Amends Chapter 421 of the Private Acts of 1943. by \*Womack. (HB40 by \*Eckles, \*Beavers, \*Hood)

**\*Senate Bill No. 366** -- Taxes, Exemption - Deletes requirement of 15,000 square feet of space for fitness facilities to qualify for exemption from amusement tax. Amends TCA Section 67-6-330. by \*Ramsey. (HB621 by \*Godsey)

**\*Senate Bill No. 647** -- Public Records - Specifies that inmate records are open to public inspection. Amends TCA Title 10, Chapter 7, Part 5. by \*Springer, \*Rochelle. (HB575 by \*McDonald, \*Sands)

**\*Senate Bill No. 818** -- Claims Commission, Tennessee - Authorizes bond required for transcript preparation costs in appeal of commissioner of claims decision to be in cash or guaranteed by one or more personal sureties owning real property in Tennessee. Amends TCA Title 9, Chapter 8, Parts 1, 3 and 4. by \*Crutchfield. (HB1332 by \*Hargrove)

**\*Senate Bill No. 839** -- Municipal Government - Increases from \$5,000 to \$10,000 maximum amount municipal governing body may set for purchases not requiring public advertising and competitive bidding. Amends TCA Section 6-56-306. by \*Blackburn. (HB1815 by \*Sargent)

**\*Senate Bill No. 840** -- Municipal Government - Allows board of commissioners to authorize city manager to enter into contracts on behalf of city in routine matters. Amends TCA Title 6, Chapter 19 and Title 6, Chapter 21. by \*Blackburn. (HB1814 by \*Sargent)

**\*Senate Bill No. 867** -- Victims' Rights - Increases amounts recoverable by victims of crime under Criminal Injuries Compensation Act; authorizes compensation for clean up of homicide scene. Amends TCA Title 29, Chapter 13, Parts 1 and 2; Section 40-24-107 and Section 67-4-606. by \*Kyle, \*Atchley, \*Blackburn, \*Burchett, \*Burks, \*Carter, \*Clabough, \*Cohen, \*Cooper, \*Crowe, \*Crutchfield, \*Davis L, \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Kurita, \*Kyle, \*Leatherwood, \*McNally, \*Miller J, \*Person, \*Ramsey, \*Rochelle, \*Springer, \*Wilder, \*Williams, \*Womack. (HB1335 by \*McMillan, \*Hargrove)

**MONDAY, APRIL 26, 1999 -- TWENTY-SECOND LEGISLATIVE DAY**

**\*Senate Bill No. 913** -- Land, Agricultural and Open Spaces - Revises application and certification requirements under Agricultural, Forest, and Open Space Land Act of 1976. Amends TCA Section 67-5-1004; Section 67-5-1005; Section 67-5-1006; Section 67-5-1007 and Section 67-5-1008. by \*Rochelle, \*Miller J. (HB1412 by \*Davidson, \*Rinks)

**\*Senate Bill No. 983** -- Sentencing - Permits sentencing DUI offenders to litter removal for six eight-hour days, in lieu of 48 hours of incarceration, under supervision of sheriff. Amends TCA Title 55, Chapter 10, Part 4. by \*Burks, \*Crutchfield, \*Herron, \*Graves, \*Davis L, \*Harper, \*Haun, \*Haynes, \*Springer, \*Dixon, \*Williams, \*Cooper, \*Ford J. (HB1327 by \*Hargrove)

**\*Senate Bill No. 1029** -- Public Records - Reorganizes present requirements for public records of municipal corporations; requires notice to state librarian and archivist 90 days before destruction of any records, specifically including temporary records and working papers.. Amends TCA Title 10, Chapter 7. by \*Harper. (HB1813 by \*Langster)

**Senate Bill No. 1189** -- Financial Disclosure - Creates online campaign financial disclosure system for candidates for state public office and single candidate political campaign committees, to be designed and implemented by secretary of state, in conjunction with registry of election finance. Amends TCA Title 2, Chapter 10, Part 1. by \*Cohen. (\*HB772 by \*Hargett)

**Senate Bill No. 1231** -- Public Health and Health Care - Removes requirement that pilot project for managed home-based and community-based long-term care for senior citizens be limited to nursing home eligibles under Medicaid program. Amends TCA Section 71-5-187. by \*Haynes. (\*HB972 by \*Jones, S.)

**Senate Bill No. 1416** -- Election Laws - Revises election laws. Amends TCA Sections 2-2-107; 2-2-127; 2-3-201(a); 2-4-102; 2-4-103; 2-4-109; 2-4-110; 2-5-204(c); 2-6-601; 2-8-107(b), 2-12-108; and 2-12-201(a)(1). by \*Rochelle. (\*HB1036 by \*Hargrove)

**\*Senate Bill No. 1574** -- Tobacco, Tobacco Products - Enacts "Tennessee Minimum Cigarette Pack Size Act of 1999." Amends TCA Title 47, Chapter 18. by \*Haun, \*Burks. (HB1312 by \*Givens, \*Bowers, \*Ferguson, \*Roach, \*Walker (Rhea))

**Senate Bill No. 1614** -- Criminal Offenses - Enacts "Motor Vehicle Chop Shop Act of 1999." Amends TCA Title 55, Chapter 5, Part 1. by \*Haun, \*McNally. (\*HB1130 by \*Westmoreland, \*Ford S, \*Todd)

**\*Senate Bill No. 1659** -- Motor Vehicles, Titling and Registration - Authorizes issuance of Adult Baseball League Association new specialty earmarked license plates; earmarks portion of revenues from sale thereof to such association Amends TCA Title 55, Chapter 4. by \*Burchett. (HB1752 by \*Hagood)

**Senate Bill No. 1777** -- Planning, Public - Requires that removal of member of local neighborhood development corporation by Tennessee neighborhood development corporation be for cause. Amends TCA Title 13, Chapter 13, Section 104. by \*Miller J. (\*HB1856 by \*Sargent)

**MONDAY, APRIL 26, 1999 -- TWENTY-SECOND LEGISLATIVE DAY**

**Senate Bill No. 1780** -- Energy - Transfers office of energy management from department of general services to department of finance and administration, as to functions related to energy management plan for state owned buildings and facilities; deletes certain reporting functions of office of energy management. Amends TCA Title 4, Chapter 3. by \*Leatherwood. (\*HB1859 by \*McKee, \*McDaniel)

**Senate Bill No. 1938** -- Rutherford County - Subject to local approval, authorizes county governing body to set license fees for kennels where dogs or cats are bred for sale; gives owner of impounded animal additional time to claim animals prior to release or destruction; grants Humane Rabies Animal Control Board authority to enforce the provisions of the act. Amends Chapter 55 of the Private Acts of 1983. by \*Womack. (HB1941 by \*Eckles, \*Hood, \*Beavers)

**HOUSE BILLS ON SECOND CONSIDERATION**

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

**House Bill No. 1953** -- Caryville -- Local Bill Held on House Desk

**House Bill No. 1954** -- Benton County -- Local Bill Held on House Desk

**House Bill No. 1955** -- Palmer -- Local Bill Held on House Desk

**CAPTION BILLS REFERRED**

**March 31, 1999**

Pursuant to **Rule No. 47**, the following Caption Bill(s), 608, 874, 876, 1469, 1707 and 1852 held on the Clerk's desk were referred to the following Committee(s):

**House Bill No. 608** -- Codes -- House Commerce Committee

**\*House Bill No. 874** -- Codes -- House Commerce Committee

**House Bill No. 876** -- Consumer Protection -- House Commerce Committee

**\*House Bill No. 1469** -- Pensions and Retirement Benefits -- House Finance, Ways and Means Committee

**House Bill No. 1707** -- Law Enforcement -- House State and Local Government Committee

**\*House Bill No. 1852** -- Municipal Government -- House Finance, Ways and Means Committee

**CAPTION BILLS REFERRED**

**April 7, 1999**

Pursuant to **Rule No. 47**, the following Caption Bill(s), 910 held on the Clerk's desk were referred to the following Committee(s):

**House Bill No. 910** -- Aged Persons -- House Health and Human Resources Committee

**CAPTION BILLS REFERRED**

**April 9, 1999**

Pursuant to **Rule No. 47**, the following Caption Bill(s), 142 held on the Clerk's desk were referred to the following Committee(s):

**\*House Bill No. 142** -- Motor Vehicles -- House Judiciary Committee

**CAPTION BILLS REFERRED**

**April 14, 1999**

Pursuant to **Rule No. 47**, the following Caption Bill(s), 1069 and 1804 held on the Clerk's desk were referred to the following Committee(s):

**House Bill No. 1069** -- Hospitals and Health Care Facilities -- House Health and Human Resources Committee

**House Bill No. 1804** -- Taxes, Sales -- House State and Local Government Committee

**CAPTION BILLS REFERRED**

**April 21, 1999**

Pursuant to **Rule No. 47**, the following Caption Bill(s), 570, 757 and 1422 held on the Clerk's desk were referred to the following Committee(s):

**House Bill No. 570** -- Pharmacy, Pharmacists -- House Judiciary Committee

**\*House Bill No. 757** -- Highways, Roads and Bridges -- House Transportation Committee

**House Bill No. 1422** -- Landlord and Tenant -- House Judiciary Committee

## REPORTS FROM STANDING COMMITTEES

The committees that met on **March 30, 1999**, reported the following:

### COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **April 26, 1999**: House Bill(s) No(s). 1404, 862, 1260, 789, 1052, 524, 1417, 1412, 735, 260, 141, 1519, 677, 1193, 1529, 1870, 1297, 1406, 922, 412, 796, 586, 601, 772 and House Joint Resolution(s) No(s). 64,.

The Committee set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **April 26, 1999**: House Bill(s) No(s). 810, 835, 1312, 1310, 1397, 1119, 1102, 814, 846, 435, 1586, 1384, 1600, 1449, 1123, 1220, 268, 1103, House Joint Resolution(s) No(s). 113 and Senate Joint Resolution(s) No(s). 40.

## REPORTS FROM STANDING COMMITTEES

The committees that met on **April 6, 1999**, reported the following:

### GOVERNMENT OPERATIONS

The Government Operations Committee recommended that House Bill No. 539 be transmitted to the Judiciary Committee, House Bill No. 1207 be transmitted to the Health and Human Resources Committee, House Bill(s) No (s). 1278, 1283, 1285, 1287, 956, and 1597 be transmitted to the State and Local Government Committee, and House Bill(s) No(s). 1714 be transmitted to the Education Committee; also House Bill No. 1645 be transmitted to the Health and Human Resources Committee with amendments and House Bill No. 1874 be transmitted to the Education Committee with amendments.

## REPORTS FROM STANDING COMMITTEES

The committees that met on **April 7, 1999**, the following:

### TRANSPORTATION

The Transportation Committee recommended for passage: House Bill(s) No(s). 1912, 1030, 1405, House Joint Resolution(s) No(s). 166 and 148, also House Bill(s) No(s). 1704 and 1771 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 1439 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.



**REPORTS FROM STANDING COMMITTEES**

The committees that met on **April 14, 1999**, reported the following:

**AGRICULTURE**

The Agriculture Committee recommended for passage: House Bill(s) No(s). 868 and 878. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 1587; also House Bill(s) No(s). 1027 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

It is further reported that House Bill No. 1781 was considered, but failed to pass.

**JUDICIARY**

The Judiciary Committee recommended for passage: House Bill(s) No(s). 1891, 811, 1872, 769, also House Bill(s) No(s). 808, 598, 651, 1882, 857, 585, 954, 931, 142, and 1354 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 1540 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

It is further reported that House Bill No. 583 was considered, but failed to pass.

**TRANSPORTATION**

The Transportation Committee recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 1790 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

**REPORTS FROM STANDING COMMITTEES**

The committees that met on **April 20, 1999**, reported the following:

**COMMERCE**

The Commerce Committee recommends for passage: House Bill(s) No(s). 1423, 450, 1616, 1095, 1294, 1650, 1433, 1258, 1219, 1358, 1686, House Joint Resolution(s) No(s). 85 and Senate Joint Resolution(s) No(s). 53; also House Bill(s) No(s). 226, 507, 935, and 1381 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

### CONSERVATION AND ENVIRONMENT

The Conservation and Environment Committee recommended for passage: House Bill(s) No(s). 1050, 958, 1024, Senate Joint Resolution(s) No(s). 90, also House Bill(s) No(s). 1879 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 959 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

### CONSUMER AND EMPLOYEE AFFAIRS

The Consumer and Employee Affairs Committee recommended for passage: House Bill(s) No(s). 748, 755, 1842, 701, 294, House Resolution(s) No(s). 9, also House Bill(s) No(s). 1453, 325, 751, 753, 754, 1176, 1470,301 and 593 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Joint Resolution(s) No(s).56; also House Bill(s) No(s). 1140 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

### EDUCATION

The Education Committee recommended for passage: House Bill(s) No(s). 1919, 1429, 1811, 1490, 45, 1806, also House Bill(s) No(s). 1568 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 1275, 1441, 1769; also House Bill(s) No(s). 220, 1889, and 52 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

### GOVERNMENT OPERATIONS

The Government Operations Committee recommended for passage: House Bill(s) No(s). 393, 397, also House Bill(s) No(s). 383 and 409 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that House Bill No. 915 be transmitted to the Education Committee, House Bill(s) No(s). 1762, 1245, and 1208 be transmitted to the Health and Human Resources Committee, House Bill No. 1849 be transmitted the Children and Family Affairs Committee, House Bill No. 1666 be transmitted to the State and Local Government Committee, and House Bill No. 1859 be transmitted to the Commerce Committee. House Bill No. 1875 was transmitted to the Consumer and Family Affairs Committee with amendments.

## HEALTH AND HUMAN RESOURCES

The Health and Human Resources Committee recommended for passage: House Bill(s) No(s). 1601, 1122, 1225, 1620, and House Joint Resolution(s) No(s). 177, also House Bill(s) No(s). 1135, 906, 565, 1645, 1120, and 1864 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 972; also House Bill(s) No(s). 884 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

## REPORTS FROM STANDING COMMITTEES

The committees that met on **April 21, 1999**, reported the following:

### CHILDREN & FAMILY AFFAIRS

The Children and Family Affairs Committee recommended for passage: House Bill(s) No(s). 1458, also House Bill(s) No(s). 792 and 1400 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 305 and 953 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

### JUDICIARY

The Judiciary Committee recommended for passage: House Bill(s) No(s). 926, 916, 1916, 1828, 1183, 1543, 1181, 1307, 1332, also House Bill(s) No(s). 1813, 575, 1218, 1290, 1104, 614, 1542, 335, 763, and 761 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 1544 and 1554; also House Bill(s) No(s). 1873 758 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

## STATE AND LOCAL GOVERNMENT

The State and Local Government Committee recommended for passage: House Bill(s) No(s). 985, 986, 987, 1588, 1537, 1295, 1483, 1056, 1594, and 1096, also House Bill(s) (s). 955, 604, 1036, 993, 1839, 443, 1848, and House Joint Resolution(s). No(s). 2 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 554, 946, 933, and 234; also House Bill(s) No(s). 231, 778 and House Joint Resolution(s). No(s). 58 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

## TRANSPORTATION

The Transportation Committee recommended for passage: House Joint Resolution(s). No(s). 179, 175, and 180, also House Bill(s) No(s). 504, 207 and House Joint Resolution(s). No(s). 116 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

## CONSENT CALENDAR

**\*House Bill No. 810** -- Managed Care Organizations - Requires certain disclosures of directors and others involved with MCOs in TennCare program. Amends TCA Title 56 and Title 71. by \*Kisber. (SB1107 by \*Cooper)

**\*House Bill No. 835** -- Death - Prescribes procedures for cremation of dead human bodies and body parts. Amends TCA Title 62, Chapter 5, Part 5 and Title 68, Chapter 3. by \*Garrett. (SB1009 by \*Ford J)

**House Bill No. 1312** -- Tobacco, Tobacco Products - Enacts "Tennessee Minimum Cigarette Pack Size Act of 1999." Amends TCA Title 47, Chapter 18. by \*Givens, \*Bowers, \*Ferguson, \*Roach, \*Walker (Rhea). (\*SB1574 by \*Haun, \*Burks)

On motion, House Bill No. 1312 was made to conform with **Senate Bill No. 1574**; the Senate Bill was substituted for the House Bill.

**House Bill No. 1310** -- Tobacco, Tobacco Products - Enacts "Tennessee Tobacco Farmers Certifying Board Act of 1999." Amends TCA Title 43. by \*Givens, \*Bowers, \*Ferguson, \*Roach, \*Walker (Rhea). (\*SB1581 by \*Haun, \*Burks)

**House Bill No. 1397** -- Taxes, Real Property - Extends time for application for property tax relief; permits application for refund or presentation of credit voucher within 35 days from date taxes are delinquent. Amends TCA Section 67-5-701. by \*Fowlkes, \*Phillips. (\*SB1162 by \*Henry, \*Rochelle)

On motion, House Bill No. 1397 was made to conform with **Senate Bill No. 1162**; the Senate Bill was substituted for the House Bill.

**\*House Joint Resolution No. 113** -- Memorials, Congress - Urges adoption of federal legislation permitting states to regulate electronic commerce. by \*Pleasant, \*Hargett, \*McAfee, \*Kent, \*Scroggs, \*Pruitt, \*Todd, \*Beavers, \*Brooks, \*Miller L, \*Jones, S., \*Odum, \*Caldwell, \*Ferguson.

**House Bill No. 1119** -- Banks and Financial Institutions - Rewrites laws regulating banks and financial institutions; adds regulations for private trust companies. Amends TCA Title 45, Chapters 1 and 2 and Section 45-11-105(c). by \*Wood, \*McDaniel, \*Walker (Rhea). (\*SB1603 by \*Elsea, \*McNally, \*Dixon)

**\*House Bill No. 1102** -- Fire Prevention and Investigation - Authorizes state forester to prescribe period other than October 15 to May 15 within which individual must have permit before starting open air fire, depending upon potential for hazardous burning conditions. Amends TCA Section 39-14-306. by \*Walker (Rhea), \*Ford S. (SB1586 by \*Elsea, \*McNally)

**MONDAY, APRIL 26, 1999 -- TWENTY-SECOND LEGISLATIVE DAY**

**House Bill No. 814** -- Ethics - Permits former member of registry of election finance to support candidate or committee of candidate for federal office in any way, including financially. Amends TCA Section 2-10-203. by \*Kisber. (\*SB793 by \*Cohen, \*Rochelle, \*Dixon)

On motion, House Bill No. 814 was made to conform with **Senate Bill No. 793**; the Senate Bill was substituted for the House Bill.

**\*House Bill No. 846** -- County Government - Authorizes county government to accept cash gifts and donations, to deposit same in general fund of county and to appropriate the same in accordance with county budgetary procedures. Amends TCA Section 5-8-101. by \*Davis (Cocke). (SB979 by \*Haun)

On motion, House Bill No. 846 was made to conform with **Senate Bill No. 979**; the Senate Bill was substituted for the House Bill.

**House Bill No. 435** -- Game and Fish Laws - Rewrites certain hunting, fishing and boating licensure provisions. Amends TCA Sections 70-2-105, 70-2-106 and 70-2-107. by \*Ridgeway, \*Bittle. (\*SB287 by \*Ramsey)

On motion, House Bill No. 435 was made to conform with **Senate Bill No. 287**; the Senate Bill was substituted for the House Bill.

**\*House Bill No. 1586** -- Alcoholic Beverages - Increases maximum inspection fee that can be imposed by ordinance upon licensed retailers of alcoholic beverages in Gatlinburg. Amends TCA Section 57-3-501(b). by \*Montgomery. (SB1757 by \*Clabough)

**House Bill No. 1384** -- Courts, Juvenile - Allows juvenile court referees to qualify for civil service; allows appeal of juvenile court referees' findings and recommendations. Amends TCA Section 37-1-107. by \*Robinson, \*Buck, \*West, \*Odom, \*Langster, \*Pruitt, \*Jones, S., \*Briley, \*Arriola, \*Harwell, \*Garrett. (\*SB1461 by \*Henry)

**House Bill No. 1600** -- Utilities, Utility Districts - Clarifies that referenced board of commissioners to be elected for any water utility district rather than any utility district in Franklin County. Amends TCA Section 7-82-307. by \*Lewis. (\*SB1682 by \*Cooper, \*Cooper)

**House Bill No. 1449** -- Teachers, Principals and School Personnel - Extends state employee 50 percent discount at state parks to K-12 public school teachers. Amends TCA Section 11-3-119 (a). by \*Patton. (\*SB1639 by \*Crowe)

**\*House Bill No. 1123** -- Veterinarians - Specifies that rabies vaccination certificate must be provided by either department of health or licensed veterinarian. Amends TCA Title 68, Chapter 8. by \*Bunch, \*McDaniel. (SB1607 by \*Williams, \*McNally)

**House Bill No. 1220** -- Insurance Companies, Agents, Brokers, Policies - Permits any mutual insurance company other than life insurance company to become state stock insurance company. Amends TCA Section 56-19-125. by \*Sargent. (\*SB957 by \*Haun)

On motion, House Bill No. 1220 was made to conform with **Senate Bill No. 957**; the Senate Bill was substituted for the House Bill.

**MONDAY, APRIL 26, 1999 -- TWENTY-SECOND LEGISLATIVE DAY**

**House Bill No. 268** -- Public Records - Clarifies appropriate fee calculations for registrars relative to recording assignment and release of mortgage, deed of trust or other lien Amends TCA Section 8-21-1001. by \*Sharp. (\*SB174 by \*Fowler)

**House Bill No. 1103** -- Aged Persons - Imposes civil penalty of up to \$10,000 per violation on persons who use practices in violation of Tennessee Consumer Protection Act which victimize persons who are at least 60 years of age. Amends TCA Title 47, Chapter 18, Part 1. by \*Godsey, \*McDaniel. (\*SB1587 by \*Blackburn, \*McDaniel)

**\*Senate Joint Resolution No. 40** -- Highway Signs - "Paul W. Barret Memorial Parkway," S.R. 385 in Shelby County. by \*Wilder, \*Leatherwood, \*Person, \*Kyle, \*Dixon.

**House Bill No. 40** -- Rutherford County - Subject to local approval, expands county purchasing committee from three to five members to be composed of county executive and four county commissioners; county executive to serve as ex officio chair. Amends Chapter 421 of the Private Acts of 1943. by \*Eckles, \*Beavers, \*Hood. (SB43 by \*Womack)

On motion, House Bill No. 40 was made to conform with **Senate Bill No. 43**; the Senate Bill was substituted for the House Bill.

**House Bill No. 482** -- Smyrna - Subject to local approval, authorizes mayor and board of commissioners to set their own salaries. Amends Chapter 284 of the Private Acts of 1915; as amended. by \*Eckles. (SB481 by \*Womack)

**House Bill No. 1255** -- Smyrna - Subject to local approval, authorizes mayor and board of commissioners to set own salary; provides for additional expenses for related parties in annual budget; allows mayor and board to participate in certain employee insurance and investment plans. Amends Chapter 284 of the Private Acts of 1915; as amended. by \*Eckles. (SB1635 by \*Womack)

**House Bill No. 1941** -- Rutherford County - Subject to local approval, authorizes county governing body to set license fees for kennels where dogs or cats are bred for sale; gives owner of impounded animal additional time to claim animals prior to release or destruction; grants Humane Rabies Animal Control Board authority to enforce the provisions of the act. Amends Chapter 55 of the Private Acts of 1983. by \*Eckles, \*Hood, \*Beavers. (SB1938 by \*Womack)

On motion, House Bill No. 1941 was made to conform with **Senate Bill No. 1938**; the Senate Bill was substituted for the House Bill.

**Senate Joint Resolution No. 177** -- Memorials, Academic Achievement - Misty Ann Underwood, Salutatorian, East Robertson High School. by \*Graves.

**Senate Joint Resolution No. 178** -- Memorials, Academic Achievement - Robert Pruitt, Valedictorian, Greenbrier High School. by \*Graves.

**Senate Joint Resolution No. 179** -- Memorials, Professional Achievement - Jerry Heffel, Direct Selling Association Hall of Fame Award. by \*Blackburn.

**Senate Joint Resolution No. 180** -- Memorials, Professional Achievement - James H. Quillen College of Medicine at ETSU, 25th anniversary. by \*Crowe, \*Kyle, \*Cohen, \*McNally.

**MONDAY, APRIL 26, 1999 -- TWENTY-SECOND LEGISLATIVE DAY**

**Senate Joint Resolution No. 181** -- Memorials, Academic Achievement - Jacob Fentress, Valedictorian, Greenbrier High School. by \*Graves.

**Senate Joint Resolution No. 182** -- Memorials, Academic Achievement - Shauna Leigh Frizzell, Valedictorian, White House High School. by \*Graves.

**Senate Joint Resolution No. 183** -- Memorials, Academic Achievement - Jason R. Wasner, Salutatorian, Westmoreland High School. by \*Graves.

**Senate Joint Resolution No. 184** -- Memorials, Recognition and Thanks - Michael J. DeGeorge, Bronze Star Recipient. by \*Kurita.

**Senate Joint Resolution No. 186** -- Memorials, Academic Achievement - Ryan P. O'Hara, Valedictorian, Hendersonville High School. by \*Graves.

**Senate Joint Resolution No. 187** -- Memorials, Academic Achievement - Brandon Post, Valedictorian, Hendersonville High School. by \*Graves.

**Senate Joint Resolution No. 188** -- Memorials, Academic Achievement - Tamara Oudman, Valedictorian, Springfield High School. by \*Graves.

**Senate Joint Resolution No. 189** -- Memorials, Sports - Gallatin High School girls' basketball team, TSSAA 1999 Class AAA state champions. by \*Graves, \*Haynes.

**Senate Joint Resolution No. 190** -- Memorials, Academic Achievement - Stacy Nadler, Salutatorian, Springfield High School. by \*Graves.

**Senate Joint Resolution No. 191** -- Memorials, Academic Achievement - Mary Anne Ingram, Co-Salutatorian, White House High School. by \*Graves.

**Senate Joint Resolution No. 192** -- Memorials, Academic Achievement - Heather Renae Dickerson, Salutatorian, Greenbrier High School. by \*Graves.

**OBJECTION -- CONSENT CALENDAR**

Objection(s) was/were filed to the following on the Consent Calendar:

**House Bill No. 810:** by Rep. Bowers

**House Bill No. 1119:** by Rep. Bowers

**House Bill No. 268:** by Rep. McDonald

**House Bill No. 1103:** by Rep. West

Under the rules, House Bill No(s). 810, 1119, 268 and 1103 was/were placed at the foot of the calendar for April 28, 1999.

**MONDAY, APRIL 26, 1999 -- TWENTY-SECOND LEGISLATIVE DAY**

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes .....	95
Noes .....	0
Present and not voting .....	1

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Jackson, Jones S., Jones U., Kent, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

Representatives present and not voting were: Kernell -- 1.

A motion to reconsider was tabled.

**REGULAR CALENDAR**

**\*House Bill No. 288** -- Uniform Commercial Code - Removes requirement that warehouse receipt must be issued to create warehouseman's lien thereby recognizing lien whether transactions are conducted electronically or when paper receipt is issued. Amends TCA Section 47-7-209. by \*Newton. (SB1628 by \*Miller J)

On motion, House Bill No. 288 was made to conform with **Senate Bill No. 1628**; the Senate Bill was substituted for the House Bill.

Rep. Newton moved that **Senate Bill No. 1628** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	95
Noes .....	0



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Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

**\*House Bill No. 201** -- Municipal Government - Requires municipalities to redistrict at least once every ten years. Amends TCA Section 6-54-102. by \*Williams (Williamson). (SB853 by \*Kurita)

Further consideration of House Bill No. 201 previously considered on March 22, 1999, March 24, 1999, and reset for today's Calendar.

Rep. Williams moved that House Bill No. 201 be passed on third and final consideration.

Rep. Bowers moved adoption of Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 201 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_\_. The provisions of this act shall not apply in any county having a population of not less than eight hundred twenty-five thousand (825,000) nor more than eight hundred thirty thousand (830,000) according to the 1990 federal census or any subsequent federal census.

On motion, Amendment No. 1 was adopted.

Rep. Williams moved that **House Bill No. 201**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	88
Noes .....	1
Present and not voting .....	6

**MONDAY, APRIL 26, 1999 -- TWENTY-SECOND LEGISLATIVE DAY**

Representatives voting aye were: Armstrong, Arriola, Beavers, Bittle, Black, Bone, Boyer, Briley, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Dyer), Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Jackson, Jones S., Jones U., Kent, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 88.

Representatives voting no were: Cole (Carter) -- 1.

Representatives present and not voting were: Bowers, Brooks, Brown, Cooper, Kernell, Towns -- 6.

A motion to reconsider was tabled.

**House Bill No. 1946** -- Franklin - Returns Franklin special school district bond approval provisions to status prior to 1999 amendment by SB 479 / HB 490. Amends Chapter \_\_\_\_ of the Private Acts of 1999. by \*Williams (Williamson), \*Sargent. (SB1940 by \*Blackburn)

Further consideration of House Bill No. 1946 previously considered on March 25, 1999, at which time it was objected to on the Consent Calendar and reset for today's Calendar.

Rep. Williams moved that House Bill No. 1946 be re-referred to the House Committee on Calendar and Rules, which motion prevailed.

**\*House Bill No. 527** -- Game and Fish Laws - Authorizes Gatlinburg to charge one-day fee of \$2.00 and three-day fee of \$6.00 for trout fishing licenses. Amends TCA Section 70-2-219. by \*Montgomery, \*Bittle. (SB933 by \*Clabough)

Further consideration of House Bill No. 527 previously considered on March 25, 1999, at which time it was objected to on the Consent Calendar and reset for today's Calendar.

On motion, House Bill No. 527 was made to conform with **Senate Bill No.933**; the Senate Bill was substituted for the House Bill.

Rep. Montgomery moved that **Senate Bill No. 933** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....94  
Noes .....0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Harwell, Hassell, Head, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

**House Bill No. 1404** -- Education - Provides that human resource agencies are to be service delivery system for character education program. Amends TCA Section 49-6-1007. by \*Fowlkes. (\*SB1163 by \*Henry)

Rep. Fowlkes moved that House Bill No. 1404 be passed on third and final consideration.

Rep. Davidson moved adoption of Education Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 1404 by deleting the words "are hereby designated as" in the amendatory language in Section 1 of the printed bill and substituting the words "may serve as".

On motion, Education Committee Amendment No. 1 was adopted.

Rep. Fowlkes moved that **House Bill No. 1404**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....95  
Noes .....0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

CHAIR TO RINKS

Mr. Speaker Naifeh relinquished the Chair to Rep. Rinks.

REGULAR CALENDAR, CONTINUED

**House Bill No. 1406** -- County Officers - Provides that county building commissioner shall be appointed by chief executive officer of county and confirmed by county legislative body. Amends TCA Section 13-7-110. by \*Fowlkes. (\*SB557 by \*Cooper)

Rep. Fowlkes moved that **House Bill No. 1406** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	93
Noes .....	0
Present and not voting .....	1

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood -- 93.

Representatives present and not voting were: Brooks -- 1.

A motion to reconsider was tabled.

**\*House Bill No. 862** -- Utilities, Utility Districts - Allows gas utility districts in Sevier County to donate funding to chambers of commerce and economic and community organizations. Amends TCA Section 7-82-304. by \*Montgomery. (SB1140 by \*Clabough)

On motion, House Bill No. 862 was made to conform with **Senate Bill No. 1140**; the Senate Bill was substituted for the House Bill.

Rep. Montgomery moved that Senate Bill No. 1140 be passed on third and final consideration.

Rep. U. Jones moved adoption of State and Local Government Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND Senate Bill No. 1140 by inserting the language "and not less than thirty-five thousand seventy-five (35,075) nor more than thirty-five thousand two hundred (35,200)," in the amendatory language of Section 1 between the language "(51,300)," and the words "according to".

On motion, State and Local Government Committee Amendment No. 1 was adopted.

Rep. Baird moved adoption of Amendment No. 2 as follows:

**Amendment No. 2**

AMEND Senate Bill No. 1140 by inserting the words, figures and symbols "and not less than sixty-eight thousand one hundred (68,100) nor more than sixty-eight thousand four hundred (68,400)," in the amendatory language of Section 1 between the figures and symbols "(51,300)," and the words "according to".

On motion, Amendment No. 2 was adopted.

Rep. Montgomery moved that **Senate Bill No. 1140**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	94
Noes .....	0
Present and not voting .....	1

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood -- 94.

Representatives present and not voting were: Lewis -- 1.

A motion to reconsider was tabled.

**MONDAY, APRIL 26, 1999 -- TWENTY-SECOND LEGISLATIVE DAY**

**House Bill No. 1260** -- Insurance Companies, Agents, Brokers, Policies - Requires that every insurance policy for state citizens or residents be written in English. Amends TCA Title 56, Chapter 7, Part 1. by \*Walker (Rhea), \*Wood, \*Gunnels, \*Armstrong, \*Sargent. (\*SB258 by \*Womack)

On motion, House Bill No. 1260 was made to conform with **Senate Bill No. 258**; the Senate Bill was substituted for the House Bill.

Rep. Walker moved that Senate Bill No. 258 be passed on third and final consideration.

Rep. Bowers moved the previous question, which motion prevailed.

Rep. Walker moved the **Senate Bill No. 258** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	74
Noes .....	12
Present and not voting .....	8

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Buck, Bunch, Buttry, Caldwell, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Harwell, Hassell, Head, Jones U., Kent, Kernell, Kerr, McCord, McDaniel, McDonald, McKee, Montgomery, Newton, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Walker, Walley, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 74.

Representatives voting no were: Briley, Brooks, Brown, Cooper, DeBerry J., Hargrove, Jones S., Maddox, McMillan, Miller, Towns, West -- 12.

Representatives present and not voting were: Chumney, Fowlkes, Jackson, Kisber, Lewis, Turner (Hamilton), Turner (Shelby), Williams -- 8.

A motion to reconsider was tabled.

**\*House Bill No. 789** -- Agriculture - Exempts landscapers and lawn care providers from requirements of nursery dealer's certificate. Amends TCA Title 43, Chapter 6, Part 1. by \*Lewis. (SB1093 by \*Cooper)

Rep. Lewis moved that House Bill No. 789 be re-referred to the Budget Subcommittee of the Finance, Ways and Means Committee, which motion prevailed.

**MONDAY, APRIL 26, 1999 -- TWENTY-SECOND LEGISLATIVE DAY**

**House Bill No. 1052** -- Liens - Provides molder with lien and right to sell mold for which customer fails to pay. Amends TCA Title 66. by \*McKee, \*Fraleay, \*Fitzhugh. (\*SB754 by \*Graves)

On motion, House Bill No. 1052 was made to conform with **Senate Bill No.754**; the Senate Bill was substituted for the House Bill.

Rep. McKee moved that Senate Bill No. 754 be passed on third and final consideration.

On motion, Rep. Rhinehart withdrew Commerce Committee Amendment No. 1.

Rep. McKee moved that **Senate Bill No. 754** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....96  
Noes .....0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

**\*House Bill No. 524** -- Penal and Reformatory Institutions - Redefines "riot" to include disturbance in penal institution; creates Class D felony offense for knowingly participating in riot in penal institution; creates Class C felony offense for aggravated riot in penal institution; creates Class E felony offense for inciting riot in penal institution. Amends TCA Title 39, Chapter 17, Part 3. by \*Davis (Washington), \*Patton, \*Godsey, \*Baird, \*Bunch, \*Buttry, \*Hagood, \*Black, \*Hargett. (SB1153 by \*Crowe)

Rep. Davis (Washington) moved that House Bill No. 524 be reset for the Regular Calendar on May 3, 1999, which motion failed.

Rep. Head moved that House Bill No. 524 be re-referred to the Budget Subcommittee of the Finance, Ways and Means Committee, which motion prevailed.

**CHAIR TO SPEAKER**

Mr. Speaker Naifeh resumed the Chair.

**REGULAR CALENDAR, CONTINUED**

**House Bill No. 1417** -- Education, Higher - Authorizes board of trustees of baccalaureate education system trust fund program to enter educational services plan and educational savings plan contracts with purchasers. Amends TCA Title 49, Chapter 7, Part 8. by \*Davidson, \*Davis (Cocke). (\*SB1233 by \*Haynes)

Rep. Davidson moved that House Bill No. 1417 be passed on third and final consideration.

Rep. Davidson moved adoption of Education Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 1417 by adding the following as new Sections 38 and 39, respectively, and by redesignating the existing sections accordingly:

SECTION 38. Tennessee Code Annotated, Section 49-7-804(a), is amended by deleting the word and figure "eight (8)" and by substituting instead the word and figure "nine (9)".

SECTION 39. Tennessee Code Annotated, Section 49-7-804(a), is further amended by deleting subdivisions (7) and (8) thereof in their entirety and by substituting instead the following:

(7) The executive director of the Tennessee student assistance corporation, ex officio;

(8) The executive director of the Tennessee higher education commission, ex officio; and

(9) One (1) representative of the Tennessee independent colleges and universities association appointed by the state treasurer from a list of two (2) nominees submitted by the board of directors of the Tennessee independent colleges and universities association. Such representatives shall be appointed for a term of three (3) years. Any person so appointed shall be eligible for reappointment and shall serve until a successor qualifies.

On motion, Education Committee Amendment No. 1 was adopted.

Rep. Turner (Hamilton) moved adoption of Amendment No. 2 as follows:

**Amendment No. 2**

AMEND House Bill No. 1417 by adding the following as new, appropriately designated SECTION immediately before the severability clause and by redesignating the existing SECTIONS accordingly:

SECTION \_\_. Tennessee Code Annotated, Title 49, Chapter 7, Part 8, is amended by adding the following as a new, appropriately designated section:



49-7-8 \_\_\_\_ Scholarship Programs. (a) The state or any department, division or agency thereof may establish a scholarship program to award scholarships to students which consist of contributions and earnings accrued in a savings account created through the educational savings plan established pursuant to § 49-7-808. Any scholarship program established under this section shall be registered with the board.

(b) Notwithstanding any provision of this part to the contrary, the entity establishing and maintaining a scholarship program under this section shall not be required to select the scholarship beneficiary at the time the scholarship program is established. Provided, however, the entity establishing the scholarship program shall select the scholarship beneficiary and notify the board of the same by no later than thirty (30) calendar days prior to the start of the academic term in which the tuition benefits under the program are to be applied. The notification shall be in writing and shall include the name, address and social security number of the scholarship beneficiary, the amount of the redemption value of the account awarded, and a statement specifying whether the scholarship beneficiary may receive a refund under the provisions of this part. The entity establishing the scholarship program shall select the scholarship beneficiaries in accordance with criteria established by the entity.

(c) If a scholarship beneficiary does not use tuition benefits awarded hereunder within a length of time as specified under the scholarship program, the entity may select and award such benefits to a new beneficiary.

(d) The board may, through the promulgation of rules and regulations, authorize political subdivisions of the state and organizations that are exempt from federal income taxation under §501(a) and described in §501(c)(3) of the Internal Revenue Code to establish scholarship programs pursuant to the provisions of this section.

On motion, Amendment No. 2 was adopted.

Rep. Davidson moved that **House Bill No. 1417**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	96
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

**House Bill No. 1412** -- Land, Agricultural and Open Spaces - Revises application and certification requirements under Agricultural, Forest, and Open Space Land Act of 1976. Amends TCA Section 67-5-1004; Section 67-5-1005; Section 67-5-1006; Section 67-5-1007 and Section 67-5-1008. by \*Davidson, \*Rinks. (\*SB913 by \*Rochelle, \*Miller J)

On motion, House Bill No. 1412 was made to conform with **Senate Bill No.913**; the Senate Bill was substituted for the House Bill.

Rep. Davidson moved that Senate Bill No. 913 be passed on third and final consideration.

Rep. U. Jones moved adoption of State and Local Government Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND Senate Bill No. 913 by deleting from Section 4 the citation "(b)(1)", and by substituting instead the citation "(a)(1).

On motion, State and Local Government Amendment No. 1 was adopted.

Rep. Davidson moved adoption of Amendment No. 2 as follows:

**Amendment No. 2**

AMEND Senate Bill No. 913 by deleting the directory language of Section 4 and by substituting instead the following:

Section 4. Tennessee Code Annotated, Section 67-5-1006, is amended by deleting subsection (a)(1) and by substituting instead the following:

On motion, Amendment No. 2 was adopted.

Rep. Davidson moved that **Senate Bill No. 913**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	96
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

**House Bill No. 735** -- Consumer Protection - Entitles performer or organization to receive all proceeds of tickets sold to a performance or event that is cancelled if refund requests for such tickets are not received within 60 days of cancellation. Amends TCA Section 47-50-118. by \*West. (\*SB81 by \*Rochelle)

Rep. West moved that House Bill No. 735 be passed on third and final consideration.

Rep. West moved adoption of Consumer and Employees Affairs Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 735 By deleting the amendatory language of Section 1 of the printed bill and by substituting instead the following:

(c) Notwithstanding any provision of law to the contrary, upon cancellation of any performance or event performed or arranged by a nonprofit corporation with an annual payroll of more than one hundred thousand dollars (\$100,000) due to an earthquake, tornado, or other such natural disaster, such nonprofit corporation shall offer refunds to all ticket purchasers to such performance or event. After one hundred eighty (180) days after the cancellation of a performance or event due to an earthquake, tornado or other natural disaster, the nonprofit organization shall be entitled to the purchase price of all unclaimed tickets. It is the clear and unequivocal intent of the general assembly that this subsection has retroactive application to January 1, 1998.

On motion, Consumer and Employees Affairs Committee Amendment No. 1 was adopted.

Rep. West moved that **House Bill No. 735**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....97  
Noes .....0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

**\*House Bill No. 260** -- Search & Seizure - Adds popularly elected city judges to judges who may issue forfeiture warrants; permits judges to request tape recorder for forfeiture warrant hearings; removes provision defining when seizing officer "acts in bad faith." Amends TCA Title 40, Chapter 33. by \*Buck. (SB876 by \*Burks)

Rep. Buck moved that House Bill No. 260 be reset for the Regular Calendar on April 28, 1999, which motion prevailed.

**\*House Bill No. 141** -- Highways, Roads and Bridges - Increases from 60 to 75 days period of time during which chief administrative officer of county must file inventory of equipment and supplies with county governing body after taking office. Amends TCA Title 54. by \*Buck, \*Odom. (SB785 by \*Haun, \*Crutchfield)

Rep. Buck moved that House Bill No. 141 be passed on third and final consideration.

Rep. Robinson moved adoption of Transportation Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 141 by deleting Section 1 of the printed bill and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 54-14-103, is amended by adding the following as new subsections (b) and (c) and appropriately redesignating existing subsections (b) and (c):

(b) Upon the filing of a petition by the person desiring to secure such easement or right of way, the court shall appoint an appraiser to conduct an appraisal of the parcel of land or rights therein or incident thereto a portion of which is wanted. The cost of the appraisal shall be born by the person seeking to appropriate such land. Upon completion, the appraisal shall be filed with the court and within thirty (30) days of the filing, the person seeking to appropriate such land shall post a bond for two (2) times the amount of the appraisal. The appraisal shall be conducted for the sole purpose of determining the amount of the bond and shall not be admissible as evidence.

(c) Upon the request of any party or the court, after the filing of the petition, the person seeking to appropriate such land shall provide a copy of any and all prospective building plans, construction specifications, or similar documents related to the work of internal improvement to take place on the land.

On motion, Transportation Committee Amendment No. 1 was adopted.

Rep. Buck moved that **House Bill No. 141**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	96
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

**House Bill No. 1519** -- Bail, Bail Bonds - Requires professional bondsman arrested for felony to notify and provide information concerning arrest to each court before which bondsman qualified to practice. Amends TCA Title 40, Chapter 11, Part 3. by \*Buck. (\*SB514 by \*Cohen)

On motion, House Bill No. 1519 was made to conform with **Senate Bill No.514**; the Senate Bill was substituted for the House Bill.

Rep. Buck moved that **Senate Bill No. 514** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	95
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

**\*House Bill No. 677** -- Telecommunications - Establishes database at Tennessee regulatory authority which allows residential telephone customers to avoid receiving telephone solicitation calls from telemarketers. Amends TCA Title 65, Chapter 4. by \*Kisber, \*Hargrove, \*Naifeh, \*DeBerry L., \*Rinks, \*Williams (Williamson), \*Arriola, \*McDonald, \*Armstrong, \*Turner (Shelby), \*Stulce, \*Sands, \*Davidson, \*Pinion, \*Jones, S., \*Lewis, \*Ridgeway, \*Bone, \*Robinson, \*Ferguson, \*Brooks, \*Tindell, \*Eckles, \*West, \*Hood, \*Caldwell, \*Fraley, \*Turner (Hamilton), \*Maddox, \*Odom, \*Pruitt, \*Winningham, \*McMillan, \*Langster, \*Hargett, \*Pleasant, \*Cole (Dyer), \*Cooper B, \*Ford S, \*Fitzhugh. (SB1116 by \*Cooper)

Rep. Kisber moved that House Bill No. 677 be passed on third and final consideration.

Rep. West requested that Consumer and Employees Affairs Committee Amendment No. 1 be moved to the heel of the Amendments.

Rep. West moved adoption of Consumer and Employees Affairs Committee Amendment No. 2 as follows:

#### **Amendment No. 2**

AMEND House Bill No. 677 by adding the following language at the end of subdivision (5) of Section 1:

"Telephone solicitation" also does not include a voice communication over a telephone to a residential subscriber if such communication is made on behalf of a not-for-profit organization exempt from paying taxes under Section 501(c) of the Internal Revenue Code if a bona fide member of the exempt organization makes such voice communication.

AND FURTHER AMEND by adding the following new subsection at the end of Section 5 to be appropriately designated:

( ) No later than January 1, 2000, the authority shall hold a hearing to receive testimony from entities subject to the provisions of this act who employ independent contractors to make telephone solicitations to determine if the authority should authorize such independent contractors to access the database at a reduced fee. The authority is authorized to allow such access and develop a fee schedule for access to the database by independent contractors and the entity which employs such contractors.

On motion, Consumer and Employees Affairs Committee Amendment No. 2 was adopted.

Rep. Kisber moved adoption of Finance, Ways and Means Committee Amendment No. 1 as House Amendment No. 3:

**Amendment No. 3**

AMEND House Bill No. 677 By deleting the fifth resolving clause from the preamble and by substituting instead the following:

WHEREAS, Citizens of this state are outraged over the proliferation of telephone solicitation calls to their residences from telemarketers across the country;

AND FURTHER AMEND by inserting the following new item (4) in Section 1 and by renumbering subsequent items accordingly:

(4) "Person" means a natural person, individual, partnership, corporation, trust, estate, incorporated or unincorporated association and any other legal or commercial entity however organized and wherever located that telemarkets to citizens located within the state of Tennessee.

AND FURTHER AMEND by inserting the language "originating from Tennessee or elsewhere" immediately following the language "or services," in the original item (5) of Section 1.

AND FURTHER AMEND by deleting the language "invitation or" in the original item (6) of Section 1.

AND FURTHER AMEND by deleting the word "consent" in the last sentence of Section 2 and by substituting instead the word "permission".

AND FURTHER AMEND by inserting the following language between the second and third sentences of Section 5 (f):

Each violation shall be calculated in a liberal manner to deter violations and to protect consumers. Each violation may include each telephone solicitation made to a residential subscriber that was on the list that the violator telephoned.

AND FURTHER AMEND By adding the following new subsection at the end of Section 5:

( ) As supplementary to the authority granted in this act, the attorney general, at the request of the authority, may bring an action in any court of competent jurisdiction in the name of the state against any person or entity relative to a violation of this act or any rules and regulations promulgated pursuant to this act. No costs shall be taxed against the state in actions commenced under the provisions of this act. The courts are authorized to issue orders and injunctions to restrain and prevent violations of the act, and such orders and injunctions shall be issued without bond. In any action commenced by the state, the courts are authorized to order reasonable attorneys' fees and investigative costs be paid by the violator to the state. An action brought by the attorney general may also include other causes of action such as but not limited to a Tennessee Consumer Protection Act of 1977 claim.

AND FURTHER AMEND by deleting Sections 6 and 7 in their entireties and by renumbering subsequent sections accordingly.

Rep. Kisber moved to amend as follows:

**Amendment No. 1 to Amendment No. 3**

AMEND Amendment No. 3 by deleting the language which reads as follows:

AND FURTHER AMEND by deleting the language "invitation or" in the original item (6) of Section 1.

and by substituting instead the following:

AND FURTHER AMEND by deleting the language "invitation or" in the original item (5) of Section 1.

On motion, Amendment No. 1 to Amendment No. 3 was adopted.

On motion, Amendment No. 3, as amended, was adopted.

Rep. Kisber moved adoption of Finance, Ways and Means Committee Amendment No. 2 as House Amendment No. 4 as follows:

**Amendment No. 4**

AMEND House Bill No. 677 By deleting Section 5 (d) of the original bill in its entirety and by substituting instead the following:



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(d) A person or entity desiring to make telephone solicitations shall be charged a fee of five hundred dollars (\$500.00) per year payable to the authority for access to or for paper or electronic copies of the database established under this act. Unlimited electronic copies of the database will be provided to persons or entities who pay the fee for such access. A fee shall be established by rule of the authority for paper copies of the database.

On motion, Finance, Ways and Means Committee Amendment No. 2 as House Amendment No. 4 was adopted.

On motion, Rep. West withdrew Consumer and Employees Affairs Committee Amendment No. 1.

Rep. Kisber moved that **House Bill No. 677**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....97  
Noes .....0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

**House Bill No. 1193** -- Taxes, Personal Property - Establishes certain policies with respect to classification of property of water transportation carrier companies. Amends TCA Title 67, Chapter 5, Part 13 and Title 67, Chapter 5, Part 5. by \*Kisber. (\*SB1459 by \*Henry)

Rep. Kisber moved that House Bill No. 1193 be reset for the Regular Calendar on May 10, 1999, which motion prevailed.

**House Bill No. 1529** -- Taxes, Real Property - Requires newly incorporated municipalities to impose property tax based on estimate by department of revenue of amount needed to replace state-shared taxes, and municipality must provide for administration of such tax prior to receiving state-shared taxes. Amends TCA Section 6-58-112. by \*Kisber. (\*SB1455 by \*Henry)

On motion, House Bill No. 1529 was made to conform with **Senate Bill No. 1455**; the Senate Bill was substituted for the House Bill.

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Rep. Kisber moved that Senate Bill No. 1455 be passed on third and final consideration.

Rep. Bowers moved the previous question, which motion prevailed.

Rep. Kisber moved that **Senate Bill No. 1455** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	96
Noes .....	0
Present and not voting .....	1

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Wunningham, Wood, Mr. Speaker Naifeh -- 96.

Representatives present and not voting were: Fraley -- 1.

A motion to reconsider was tabled.

**\*House Bill No. 1870 --** Vending Machines - Denies operators of vending machines option of reporting gross receipts tax in lieu of sales tax when sale price of merchandise vended in single transaction is greater than \$4.00. Amends TCA Section 67-4-506. by \*Kent. (SB1791 by \*McNally)

Rep. Kent moved that House Bill No. 1870 be passed on third and final consideration.

Rep. Kisber moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 1870 by deleting in their entirety the words, symbol, numbers and punctuation "four dollars (\$4.00)" in the amendatory language of Section 1 and substituting instead the words, symbol, numbers and punctuation "five dollars (\$5.00)".

On motion, Finance, Ways and Means Committee Amendment No. 1 was adopted.

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Rep. Kent moved that **House Bill No. 1870**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	89
Noes .....	3

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Briley, Brooks, Brown, Buck, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Godsey, Gunnels, Hagood, Hargett, Harwell, Hassell, Head, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 89.

Representatives voting no were: Fraley, Hargrove, Whitson -- 3.

A motion to reconsider was tabled.

**\*House Bill No. 1297** -- Disabled Persons - Removes age limitation for court ordered child support for children who are disabled or handicapped and living with the custodial parent, if the court, in its discretion, decides to continue child support indefinitely from the non-custodial parent in cases where such parent is financially able to continue making such payments. Amends TCA Section 36-5-101. by \*Bowers. (SB1746 by \*Cohen)

Rep. Bowers moved that House Bill No. 1297 be passed on third and final consideration.

Rep. Chumney moved adoption of Children and Family Affairs Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 1297 by deleting subdivision (p)(2) of the printed bill and substituting instead the following:

(2) Provided, however, such age limitation shall not apply if such child is severely disabled and living under the care and supervision of a parent and the court determines that it is in the child's best interest to remain under such care and supervision and the obligor is financially able to continue to pay child support. In such cases, the court may require the obligor to continue to pay child support for such period as it deems in the best interest of the child.

On motion, Children and Family Affairs Committee Amendment No. 1 was adopted.

Rep. Bowers moved that **House Bill No. 1297**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	97
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

**\*House Joint Resolution No. 64** -- Memorials, Congress - Urges enactment of federal legislation to prohibit Medicaid recoupment of state tobacco settlement moneys; expresses opposition to efforts to earmark or restrict states' use of such moneys; supports states' autonomy over appropriation and expenditure of such funds. by \*Bowers, \*DeBerry L., \*Hargrove, \*Kisber, \*Rinks, \*Ridgeway, \*Givens, \*Ferguson, \*Rhinehart, \*Williams (Williamson), \*Head, \*Stulce, \*Jackson, \*Miller L., \*Pleasant, \*DeBerry J., \*Kernell, \*Curtiss, \*Walker (Rhea), \*Buck, \*Chumney, \*Fraley, \*Sands, \*Pinion, \*Jones, S., \*Bone, \*Robinson, \*Lewis, \*Tindell, \*Eckles, \*West, \*Hood, \*Caldwell, \*Turner (Hamilton), \*Maddox, \*Odom, \*Pruitt, \*McMillan, \*Cooper B., \*Langster, \*Brooks.

Rep. Bowers moved that **House Joint Resolution No. 64** be adopted, with the request that all members voting aye be added as sponsors, which motion prevailed by the following vote:

Ayes .....	97
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

**\*House Bill No. 922** -- Law Enforcement - Allows Vanderbilt University to employ and commission campus security officers on same basis as University of Tennessee or board of regents; such officers to also hold special police commissions issued by Metro chief of police. Amends TCA Section 49-7-118. by \*Langster, \*Jones, S.. (SB1230 by \*Haynes)

Rep. Langster moved that House Bill No. 922 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 922 by deleting the amendatory language of Section 1 of the printed bill and substituting the following:

(f) (1) Private universities having an enrollment of at least nine thousand (9,000) students and nine thousand (9,000) or more employees, and located within counties having a metropolitan form of government, may also employ and commission security officers under the conditions described in the preceding sub-sections and in this subsection (f), provided the chief law enforcement officer of the metropolitan government in which the private university is located has appointed the security officer a special deputy in accordance with Tennessee Code Annotated, Section 8-8-212, or has appointed the security officer a special police officer.

(2) The chief law enforcement officer of a metropolitan form of government in which the private university is located shall define any geographical limitation on the exercise of police power of the special deputy or special police officer.

(3) Notwithstanding any law to the contrary, the metropolitan government and its chief law enforcement officer shall be immune from any suit by anyone incurring any wrong, injury, loss, damage, or expense resulting from any act or failure to act on the part of any special deputy or special police officer commissioned a security officer by a private university.

(4) No person shall be appointed a special deputy or a special police officer or be commissioned a security officer by a private university unless such person proves to the chief law enforcement officer of the metropolitan government that person's financial responsibility in accordance with the terms of Tennessee Code Annotated, Section 8-8-303(c).

(5) This provision shall not entitle such officers to any public funding, for training or otherwise.

On motion, Judiciary Committee Amendment No. 1 was adopted.

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Rep. Langster moved that **House Bill No. 922**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	97
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

**House Bill No. 412** -- County Government - Increases maximum monetary penalty county having charter form of government may set for violating county ordinances from \$500 to \$1,000; basically only applies to Knox County. Amends TCA Section 5-1-211. by \*Hagood, \*Tindell, \*Boyer, \*Bittle, \*Dunn, \*Buttry, \*Armstrong. (\*SB176 by \*McNally, \*Burchett, \*Atchley)

On motion, House Bill No. 412 was made to conform with **Senate Bill No. 176**; the Senate Bill was substituted for the House Bill.

Rep. Hagood moved that Senate Bill No. 176 be passed on third and final consideration.

Rep. Newton moved the previous question, which motion prevailed.

Rep. Hagood moved that **Senate Bill No. 176** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	74
Noes .....	17
Present and not voting .....	6

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Cocke), Davis (Washington), Dunn, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Harwell, Hassell, Jackson, Jones S., Kent, Kernell, Kerr, Langster, Maddox, McCord, McDaniel, McDonald, McKee, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Robinson, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Walker, Walley, Westmoreland, White, Whitson, Williams, Wood -- 74.

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Representatives voting no were: Bowers, Cooper, DeBerry L., Eckles, Ferguson, Hargrove, Head, Kisber, McMillan, Miller, Rinks, Roach, Sands, Turner (Hamilton), Windle, Winningham, Mr. Speaker Naifeh -- 17.

Representatives present and not voting were: Brooks, DeBerry J., Jones U., Lewis, Turner (Shelby), West -- 6.

A motion to reconsider was tabled.

**\*House Bill No. 796** -- Highway Signs - "George Morgan Parkway," segment of U.S. Highway 27 in Hamilton County. by \*Sharp. (SB1446 by \*Fowler)

On motion, House Bill No. 796 was made to conform with **Senate Bill No.1446**; the Senate Bill was substituted for the House Bill.

Rep. Sharp moved that Senate Bill No. 1446 be passed on third and final consideration.

Rep. Robinson moved adoption of Transportation Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND Senate Bill No. 1446 By deleting Section 1 of the printed bill in its entirety and by substituting instead the following:

SECTION 1. Notwithstanding any other provision of law to the contrary, that segment of U.S. Highway 27 in Hamilton County from 23rd Street at Rossville Boulevard to 34th Street at Rossville Boulevard is hereby designated as the "George Morgan Parkway".

On motion, Transportation Committee Amendment No. 1 was adopted.

Rep. Sharp moved that **Senate Bill No. 1446**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	93
Noes .....	0
Present and not voting .....	3

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Harwell, Hassell, Head, Jackson, Jones S., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odum, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

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Representatives present and not voting were: Brooks, Eckles, Hargrove -- 3.

A motion to reconsider was tabled.

**\*House Bill No. 586** -- Tennessee Wildlife Resources Agency - Permits importation of white-tailed deer for purpose of release into the wild, effective 3-1-2000; establishes permit fee of \$500 per shipment. Amends TCA Section 70-4-403 and Section 70-4-404. by \*Bittle. (SB758 by \*Burchett)

Rep. Bittle moved that House Bill No. 586 be passed on third and final consideration.

Rep. Ridgeway moved adoption of Conservation and Environment Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 586 by deleting the language of Section 3 in its entirety and by substituting instead the following:

SECTION 3. For the purpose of promulgating rules and regulations, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect March 1, 2000, the public welfare requiring.

On motion, Conservation and Environment Committee Amendment No. 1 was adopted.

Rep. Ridgeway moved adoption of Conservation and Environment Committee Amendment No. 2 as follows:

**Amendment No. 2**

AMEND House Bill No. 586 by adding to the amendatory language of Section 1 the words "and the department of agriculture" immediately after the word "Commission".

AND FURTHER AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION \_\_\_\_\_. All importation of white-tailed deer pursuant to the provisions of this act shall comply with the rules and regulations of the department of agriculture regarding importation of such deer.

On motion, Conservation and Environment Committee Amendment No. 2 was adopted.

Rep. Bittle moved that **House Bill No. 586**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	88
Noes .....	4
Present and not voting .....	3



**MONDAY, APRIL 26, 1999 -- TWENTY-SECOND LEGISLATIVE DAY**

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Brown, Buck, Bunch, Buttry, Chumney, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Godsey, Goins, Gunnels, Hagood, Hargett, Harwell, Hassell, Head, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 88.

Representatives voting no were: Briley, Caldwell, Givens, Sands -- 4.

Representatives present and not voting were: Brooks, Eckles, Hargrove -- 3.

A motion to reconsider was tabled.

**House Bill No. 601** -- County Officers - Requires name of person preparing power of attorney, including durable power of attorney for health care, to appear on face of document if such document is to be filed of record by county registrar; specifies provision will not apply to UCC instruments except for fixture filings. Amends TCA Section 66-24-115. by \*Sharp. (\*SB631 by \*Fowler)

On motion, House Bill No. 601 was made to conform with **Senate Bill No. 631**; the Senate Bill was substituted for the House Bill.

Rep. Sharp moved that Senate Bill No. 631 be passed on third and final consideration.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 1.

Rep. Sharp moved that **Senate Bill No. 631** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....96  
Noes .....0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

**\*House Bill No. 772** -- Financial Disclosure - Creates online campaign financial disclosure system for candidates for state public office and single candidate political campaign committees, to be designed and implemented by secretary of state, in conjunction with registry of election finance. Amends TCA Title 2, Chapter 10, Part 1. by \*Hargett. (SB1189 by \*Cohen)

Rep. Hargett moved that House Bill No. 772 be re-referred to the Budget Subcommittee of the Finance, Ways and Means Committee, which motion prevailed.

## UNFINISHED BUSINESS

### RULES SUSPENDED

Rep. Ridgeway moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 90 out of order, which motion prevailed.

**Senate Joint Resolution No. 90** -- General Assembly, Confirmation of Appointment - Tom Hensley, wildlife resources commission. by \*Carter, \*Atchley, \*Blackburn, \*Burchett, \*Burks, \*Carter, \*Clabough, \*Cohen, \*Cooper, \*Crutchfield, \*Davis L., \*Dixon, \*Ford J., \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Kurita, \*Kyle, \*McNally, \*Miller J., \*Person, \*Ramsey, \*Rochelle, \*Springer, \*Wilder, \*Williams, \*Womack.

On motion, the rules were suspended for the immediate concurrence in the resolution.

On motion of Rep. Ridgeway, the resolution was concurred in by the following vote:

Ayes .....	91
Noes .....	1
Present and not voting .....	1

Representatives voting aye were: Armstrong, Arriola, Beavers, Bittle, Black, Bone, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 91.

Representatives voting no were: Caldwell -- 1.

Representatives present and not voting were: Walker -- 1.

A motion to reconsider was tabled.

**RULES SUSPENDED**

Rep. Hargrove moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 67 out of order, which motion prevailed.

**Senate Joint Resolution No. 67** -- Naming and Designating - "National Crime Victims' Rights Week," April 25 -- May 1, 1999. by \*Burks, \*Atchley, \*Blackburn, \*Burchett, \*Burks, \*Carter, \*Clabough, \*Cohen, \*Cooper, \*Crowe, \*Crutchfield, \*Davis L, \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Kurita, \*Kyle, \*Leatherwood, \*McNally, \*Miller J, \*Person, \*Ramsey, \*Rochelle, \*Springer, \*Wilder, \*Williams, \*Womack.

On motion, the rules were suspended for the immediate concurrence in the resolution.

On motion of Rep. Hargrove, the resolution was concurred in by the following vote:

Ayes .....	96
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

**RULES SUSPENDED**

Rep. Buck moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 227 out of order, which motion prevailed.

**Senate Joint Resolution No. 227** -- Memorials, Sports - 1998-1999 Gordonsville High School girls' basketball team. by \*Rochelle.

On motion, the rules were suspended for the immediate concurrence in the resolution.

On motion of Rep. Buck, the resolution was concurred in by the following vote:

Ayes .....	94
Noes .....	0

## **MONDAY, APRIL 26, 1999 -- TWENTY-SECOND LEGISLATIVE DAY**

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Jones S., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

### **RULES SUSPENDED**

On motion of Rep. Hargrove, the rules were suspended to adopt the following changes in the House Schedule for the week of April 26, 1999:

#### **TUESDAY**

8:00 - 9:00	CALENDAR AND RULES COMMITTEE
9:00 - 10:00	COMMERCE COMMITTEE
9:00 - 10:30	CONSUMER AND EMPLOYEE AFFAIRS COMMITTEE
9:30 - 11:00	GOVERNMENT OPERATIONS COMMITTEE
10:00 - 10:30	TRANSPORTATION COMMITTEE
10:30 - 12:00	EDUCATION COMMITTEE
12:00 - 1:30	HEALTH AND HUMAN RESOURCES COMMITTEE
12:00 - 1:30	CONSERVATION COMMITTEE
1:30 - 3:00	FINANCE, WAYS AND MEANS COMMITTEE
3:00 - 4:30	STATE AND LOCAL GOVERNMENT COMMITTEE

#### **WEDNESDAY**

8:00 - 9:00	CALENDAR AND RULES COMMITTEE
10:30 - 12:00	JUDICIARY COMMITTEE
12:00 - 1:30	CHILDREN AND FAMILY AFFAIRS COMMITTEE
2:00	SESSION

#### **THURSDAY**

8:00 - 9:00	CALENDAR AND RULES COMMITTEE
9:00	SESSION

### **RULES SUSPENDED**

On motion of Rep. Hargrove, the rules were suspended to allow all bills heard in the Committee on Calendar and Rules on Tuesday, April 27, 1999 to be placed on the Regular Calendar for Wednesday, April 28, 1999.

**BILLS WITHDRAWN**

On motion of Rep. Turner (Hamilton), **House Bill No. 1349** was recalled from the Judiciary Committee and withdrawn from the House.

On motion of Rep. McMillan, **House Bill No. 976** was recalled from the Judiciary Committee and withdrawn from the House.

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Bill No. 320:** Rep(s). Walker as prime sponsor(s).

**House Bill No. 1060:** Rep(s). Brooks as prime sponsor(s).

**House Bill No. 1535:** Rep(s). Walker as prime sponsor(s).

**MESSAGE FROM THE SENATE**  
**April 26, 1999**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 21, 59 and 89; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE**  
**April 26, 1999**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 666, 1105 and 1501; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE**  
**April 26, 1999**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1031; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE**

**April 26, 1999**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 442, 698 and 1871; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**ENGROSSED BILLS**

**April 26, 1999**

The following bills have been examined, engrossed, and are ready , for transmission to the Senate: House Bill(s) No(s). 141, 201, 482, 835, 1102, 1123, 1255, 1310, 1384, 1404, 1406, 1417, 1449, 1586, 1600, also, House Joint Resolution(s) No(s) 113.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**April 26, 1999**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 21, 62 and 114; all adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**Senate Joint Resolution No. 21** -- Naming and Designating - "Tennessee Treasures Too," by Artist in Residence Michael Sloan, Official Painting of Tennessee. by \*Haynes, \*Henry.

**\*Senate Joint Resolution No. 62** -- General Assembly, Directed Studies - Directs department of general services to study purchasing policies and procedures utilized by state government and compare such policies with those used by private sector to realize similar cost savings. by \*Springer, \*Kurita, \*Burks.

**\*Senate Joint Resolution No. 114** -- Highway Signs - "Nicholas P. Earnest Memorial Bridge," S.R. 351 spanning Nolachucky River in Greene County. by \*Haun, \*Williams.

**MESSAGE FROM THE SENATE**

**April 26, 1999**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 77, 163, 427, 432, 572, 895, 1026, 1095, 1375, 1550 and 1752; all passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**\*Senate Bill No. 77** -- Taxes, Income - Exempts certain trusts and trustees from Hall income tax. Amends TCA Section 67-2-104. by \*Rochelle. (HB194 by \*Kisber)

**MONDAY, APRIL 26, 1999 -- TWENTY-SECOND LEGISLATIVE DAY**

**\*Senate Bill No. 163** -- County Boundaries - Requires each application for changing county line to be accompanied by resolution authorizing change approved by 2/3 vote of county commissioners of all counties affected by change, in addition to accurate survey and plat showing proposed changes. Amends TCA Section 5-2-104. by \*Williams, \*Herron. (HB272 by \*Givens, \*Pinion)

**Senate Bill No. 427** -- Workers' Compensation - Authorizes injured employee to file workers' compensation claim in employee's county of residence or county in which accident occurred. Amends TCA Section 50-6-225. by \*Haynes. (\*HB325 by \*Buck)

**\*Senate Bill No. 432** -- Public Funds and Financing - Prohibits use of public funds for public relations services by entity in the legislative, judicial or executive branch of government; excludes funds appropriated to keep or increase employment by promoting trade, industry, commerce, tourism or recreation and conferences, training or similar meetings; requires cancellation of current contracts for such services. Amends TCA Title 4, Chapter 1. by \*Haynes, \*Herron. (HB452 by \*McDonald, \*Bone, \*Fowlkes, \*Williams (Williamson), \*Arriola)

**\*Senate Bill No. 572** -- Civil Procedure - Excludes damages from list of costs that court may assess against attorney of record relative to surety statute. Amends TCA Title 20, Chapter 12, Part 1. by \*Person. (HB1181 by \*Buck)

**Senate Bill No. 895** -- Criminal Offenses - Creates Class A misdemeanor offense of pointing laser pointer device at law enforcement officer with intent to frighten officer or interfere with performance of officer's official duties. Amends TCA Title 39, Chapter 16, Part 5. by \*Rochelle, \*Kurita, \*Williams. (\*HB857 by \*McDonald, \*Bone, \*West, \*Davidson, \*Hood, \*Rhinehart)

**\*Senate Bill No. 1026** -- Business and Commerce - Prohibits suppliers of farm machinery, construction, utility, industrial and other heavy equipment from terminating retail agreements with retailers without good cause; requires suppliers to repurchase franchise inventory when franchise terminated. Amends TCA Title 47, Chapter 25, Part 13. by \*Burks. (HB1423 by \*Phelan)

**\*Senate Bill No. 1095** -- Firearms and Ammunition - Requires department of safety to annually conduct name check on all permit holders through TBI's instacheck system. Amends TCA Title 39, Chapter 17, Part 13. by \*Cooper. (HB1307 by \*Newton)

**Senate Bill No. 1375** -- Judges and Chancellors - Provides that membership of court of the judiciary always include at least one appointee currently and regularly exercising juvenile court jurisdiction. Amends TCA Section 17-5-201. by \*Person. (\*HB941 by \*Scroggs)

**\*Senate Bill No. 1550** -- Aircraft and Airports - Expands board of Chattanooga Metropolitan Airport Authority from 7 to 11 members, who shall have no financial interest in airport or its concessions; six must be residents of city; board comprised of persons of good standing in fields of engineering, law, industry, commerce and finance. Amends TCA Section 42-4-105. by \*Crutchfield. (HB1090 by \*Sharp)

**Senate Bill No. 1752** -- Public Health and Health Care - Revises Memphis Plan Act to raise the limit on the number of eligible employees from 50 to 200; raises income limit from 150 to 200 percent of poverty. Amends TCA Title 56, Chapter 7, Part 20. by \*Kyle, \*Dixon. (\*HB1686 by \*Chumney)

**ENGROSSED BILLS**

**April 26, 1999**

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 586, 677, 735, 922, 1297, 1870, also, House Joint Resolution(s) No(s) 64.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**ROLL CALL**

The roll call was taken with the following results:

Present.....95

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

**RECESS MOTION**

On motion of Rep. Hargrove, the House stood in recess until 2:00 p.m., Wednesday, April 28, 1999.